

REMARKS

Applicant respectfully requests reconsideration of the instant application in view of the amendments, herein, and the following remarks:

The following claims are *pending*: 1-3, 5-15, 17-23, 25-31, 33 and 34.

The following claims are *independent*: 1, 21 and 50.

The following claims have previously been *cancelled* without prejudice or disclaimer: 4, 16, 24, 32 and 35-49.

Please *add new* claims 50-54.

Applicant thanks Examiner for indicating that claims 1-3, 5-15, 17-23, 25-31, 33 and 34 have been allowed as set forth in the Notice of Allowance mailed April 24, 2009.

Further, Applicant notes that the above claim listing of claims 1-3, 5-15, 17-23, 25-31, 33 and 34 contains the Examiner's amendment authorized by Dale G. Mohlenhoff, Reg. No 37,683 on April 21, 2009 in a telephonic interview. Additionally, Applicant submits herewith new claims 50-54 as part of the Amendment. In view of the concurrently filed RCE Applicant respectfully requests entry of these new claims and substantive examination of the new claims. Applicant notes that new claims 50-54 are based on allowed claims 1-3, 5-7 and 9.

Applicant submits that these new claims are supported throughout the originally filed specification and that no new matter has been added by way of these amendments.

CONCLUSION

Consequently, the reference(s) cited by the office action do not result in the claimed invention, there was/is no motivation, basis and/or rationale for such a combination of

references (i.e., cited references do not teach, read on, suggest, or result in the claimed invention(s)), and the claimed inventions are not admitted to be prior art. Thus, the Applicant respectfully submits that the supporting remarks and claimed inventions, claims 1-3, 5-15, 17-23, 25-31, 33 and 34, all: overcome all rejections and/or objections as noted in the office action, are patentable over and discriminated from the cited reference(s), and are in a condition for allowance. Furthermore, Applicant believes that the above remarks, which distinguish the claims over the cited reference(s), pertained only to noted claim element portions. These remarks are believed to be sufficient to overcome the prior art. While many other claim elements and/or bases for rejection were not discussed as they have been rendered moot based on the above amendments and/or remarks, Applicant asserts that all such remaining and not discussed claim elements and/or bases for rejection, all, also are distinguished over the prior art and reserves the opportunity to more particularly traverse, remark and distinguish over any such remaining claim elements and/or bases for rejection at a later time, should it become necessary. Further, any remarks that were made in response to an Office Action objection and/or rejection as to any one claim element, and which may have been re-asserted as applying to another Office Action objection and/or rejection as to any other claim element(s), any such re-assertion of remarks is not meant to imply that there is commonality about the structure, functionality, means, operation, and/or scope of any of the claim elements, and no such commonality is admitted as a consequence of any such re-assertion of remarks. As such, Applicant does not concede that any claim elements have been anticipated and/or rendered obvious by any of the cited reference(s). Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection(s) and/or objection(s), and allowance of all claims.

Authorization

Applicant hereby authorizes and requests that the Commissioner charge any additional fees that may be required for consideration of this and/or any accompanying and/or necessary papers to Deposit Account No. 03-1240, Order No. 17209.601. In the event that an extension of time is required (or which may be required in addition to that requested in a petition for an extension of time), Applicant requests that the Commissioner grant a petition for an extension of time required to make this response timely, and, Applicant hereby authorizes and requests that the Commissioner charge any fee or credit any overpayment for such an extension of time to Deposit Account No. 03-1240, Order No. 17209.601.

In the event that a telephone conference would facilitate examination of the application in any way, Applicant invites the Examiner to contact the undersigned at the number provided.

Respectfully submitted,
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